

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 BANK OF AMERICA, N.A.,

4 Plaintiff

5 v.

6 SATICOY BAY LLC SERIES and SUTTON
7 PLACE HOMEOWNERS ASSOCIATION,

8 Defendants

Case No.: 2:17-cv-02808-APG-CWH

**Order (1) Setting Aside Order Granting
Motion to Dismiss, and (2) Denying Motion
to Dismiss**

[ECF Nos. 29, 30, 33]

9 I previously granted the motion to dismiss filed by defendant Saticoy Bay. ECF No. 30.
10 The parties now stipulate to set aside my order, so they can complete their settlement. ECF No.
11 33. They contend that it will be easier for them to clear title if the case is dismissed by
12 stipulation, rather than by my granting the motion. *Id.* at 2:4-5. Because the parties have
13 resolved their differences, I will rescind my order and deny the motion to dismiss as moot.

14 IT IS THEREFORE ORDERED that the parties' stipulation **(ECF No. 33) is**
15 **GRANTED.** My prior order **(ECF No. 30) is VACATED.** The defendant's motion to dismiss
16 **(ECF No. 29) is DENIED AS MOOT.** The parties shall file a stipulation to dismiss the case or
17 a joint status report by February 28, 2019.

18 DATED this 7th day of January, 2019.

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21 ANDREW P. GORDON
22 UNITED STATES DISTRICT JUDGE
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